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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,188	03/22/2004	Jui-Ming Chen	MR1035-1435	1128
4586 7590 12/13/2007 ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			EXAMINER WENDMAGEGN, GIRUMSEW	
			ART UNIT 2621	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/805,188

Applicant(s)

CHEN, JUI-MING

Examiner

Girumsew Wendmagegn

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim1-31 is rejected under 35 U.S.C. 102(e) as being anticipated by Holloway et al (Pub No US 2004/0252966).

Regarding claim1, Holloway et al (hereinafter Holloway) anticipates a portable multimedia electronic device comprising: a video recording means for recording video from an external video source (see figure5 element 10); an audio recording means for recording audio from an external audio source (see figure5 element 10); a video playback means for playing back video (see figure4 element10); an audio playback means playing back audio (see figure5 element 10); an image viewer for recalling images (see figure5 element 28); a built-in display for displaying video or images (see figure5 element 28); a rechargeable battery for supplying power (see figure6 element 70); a keypad for controlling operation (see figure6 element 14); at least one status indicator for indicating status (see figure7 element 82); and a storage means for providing data storage (see figure 5 element 10).

Regarding claim2, Holloway anticipates the portable multimedia electronic device of claim1, further comprising: a microphone input, an audio left input, an audio right input, a video input, an s- video input, an infrared port, a power supply input, a headphone output, an audio left output, an audio right output, a video output, an s-video out, a bi-directional high speed interface, a cable television input, a cable television output, and a memory card port, or a combination of these (see figure7 element 14).

Regarding claim3, the portable multimedia electronic device of claim2, whereby operation of the device is controlled by a remote control via the infrared port (see page8 paragraph 0079).

Regarding claim4, Holloway anticipates the portable multimedia electronic device of claim1, further comprising: a central processing unit, a flash memory, a dynamic random access memory, and firmware for providing operating capabilities, functions, and an operating system for the device (see figure6 element 56, 60 and 68).

Regarding claim5, Holloway anticipates the portable multimedia electronic device of claim1, further comprising: a built-in microphone for recording voice (page3 paragraph 0039).

Regarding claim6, Holloway anticipates the portable multimedia electronic device of claim1, further comprising: a built-in speaker for playing back audio or voice (page3 paragraph 0039).

Regarding claim7, Holloway anticipates the portable multimedia electronic device of claim 1, further comprising: a switch for selecting between phase alternation line (PAL), national television systems committee (NTSC), or sequential couleur avec memoire (SECAM) video types (see page6-7 paragraph 0070).

Regarding claim8, Holloway anticipates the portable multimedia electronic device of claim 1, further comprising: a real time clock program for scheduling recording of data, battery recharging, or backup schedules (see figure7 element 86).

Regarding claim9, Holloway anticipates the portable multimedia electronic device of claim 1, further comprising: an on-screen display (OSD) or graphic user interface (GUI) menu system for displaying playback and recording controls, and for displaying settings, options, parameters, and properties (see page7 paragraph 0073).

Regarding claim10, Holloway anticipates the portable multimedia electronic device of claim 1, whereby the keypad comprises controls for, power on, power off, mode select, stop, play, hold, pause, fast forward, track forward, fast rewind, track back,

menu up, volume up, menu down, volume down, channel up, channel down, zoom in, and zoom out, or a combination of these (see figure8 element 94).

Regarding claim11, Holloway anticipates the portable multimedia electronic device of claim 1, whereby the at least one status indicator comprises a power indicator, a high speed interface indicator, an encoding indicator, a decoding indicator, a battery level monitor, or a combination of these (see page7-8 paragraph 0078 and page8 element 108).

Regarding claim12, Holloway anticipates the portable multimedia electronic device of claim1, whereby the storage means comprises an advanced technology attachment (ATA), an integrated drive electronics (IDE), or a serial advanced technology attachment (SATA) compatible hard disc drive (see page4-5 paragraph 0053).

Regarding claim13, Holloway anticipates the portable multimedia electronic device of claim 1, whereby the built-in display comprises a liquid crystal display (LCD) display panel (see figure7 element 16).

Regarding claim14, Holloway anticipates the portable multimedia electronic device of claim 2, whereby the bi- directional high speed interface comprises a universal serial bus (USB), USB 2, or IEEE 1394 interface (see page6 paragraph 0065).

Regarding claim15, Holloway anticipates the portable multimedia electronic device of claim1, further comprising codecs for encoding or decoding voice, audio, images, or video (page5 paragraph 0055).

Regarding claim16, Holloway anticipates the portable multimedia electronic device of claim 1, whereby multimedia support is provided for MPEG-1, MPEG-2, MPEG-4, AVI, DivX, ASF, WMV, WMA, AAC, MP3, G.726, JPEG, JPEG2000, M-JPEG, GIF, and BMP formats (see page5 paragraph 0055).

Regarding claim17, Holloway anticipates the portable multimedia electronic device of claim 1, whereby the device records audio or video from an external audio or video source connected to the audio or video recording means (see figure5).

Regarding claim18, Holloway anticipates the portable multimedia electronic device of claim1, further comprising a camera for taking digital photographs or recording video (see page5 paragraph 0057).

Regarding claim19, Holloway anticipates the portable multimedia electronic device of claim 1, further comprising a television tuner, whereby television programming is recordable via the video recording means (see page4 paragraph 0047).

Regarding claim 20, Holloway anticipates a portable multimedia electronic device comprising: a central processing unit, a flash memory, a dynamic random access memory, and firmware for providing operating capabilities, functions, and an operating system for the device (see figure 6 element 56, 60 and 68); a television tuner for providing television programming tuning (see figure 5 element 26 and page 4 paragraph 0047); a video recording means for recording video from an external video source or from the television tuner (see figure 5 element 10); an audio recording means for recording audio from an external audio source (see figure 5 element 10); a voice recording means for recording voice; a camera for taking digital photographs or recording video (see page 3-4 paragraph 0039); a video playback means for playing back video (see figure 5 element 10); an audio playback means playing back audio and voice (see figure 5 element 10); an image viewer for recalling images (see figure 5 element 28); a plurality of inputs and outputs comprising a microphone input, an audio left input, an audio right input, a video input, an s-video input, an infrared port, a power supply input, a headphone output, an audio left output, an audio right output, a video output, an s-video out, a cable television input, a cable television output, a bi-directional high speed interface, a memory card port, or a combination of these (see figure 8 element 94); a built-in display for displaying television, video or images (see figure 5 element 28); a rechargeable battery for supplying power (see figure 6 element 70); a keypad for controlling operation comprising controls for, power on, power off, mode select, stop, play, hold, pause, fast forward, track forward, fast rewind, track back, channel up, channel down, menu up, volume up, menu down, volume down, zoom in,

zoom out, or a combination of these (see figure6 and 7 element 14); at least one status indicator for indicating status comprises a power indicator, a high speed interface indicator, an encoding indicator, a decoding indicator, a battery level monitor, or a combination of these (see figure7 element 82); and an advanced technology attachment (ATA), serial advanced technology attachment (SATA), or integrated drive electronics (IDE) compatible hard disc drive for providing data storage (see page4-5 paragraph 0053).

Regarding claim21, Holloway anticipates the portable multimedia electronic device of claim 20, whereby operation of the device is controlled by a remote control via the infrared port (see page8 paragraph 0079).

Regarding claim22, Holloway anticipates the portable multimedia electronic device of claim 20, further comprising: a built-in microphone for recording voice (page3 paragraph 0039).

Regarding claim23, Holloway anticipates the portable multimedia electronic device of claim 20, further comprising: a built-in speaker for playing back audio or voice (page3 paragraph 0039).

Regarding claim24, Holloway anticipates the portable multimedia electronic device of claim 20, further comprising: a switch for selecting between phase alternation

line (PAL), national television systems committee (NTSC), or sequential couleur avec memoire (SECAM) video types (see page6-7 paragraph 0070).

Regarding claim25, Holloway anticipates the portable multimedia electronic device of claim 20, further comprising: a real time clock program for scheduling recording of data, battery recharging, or backup schedules (see figure7 element 86).

Regarding claim26, Holloway anticipates the portable multimedia electronic device of claim 20, further comprising: an on-screen display (OSD) or graphic user interface (GUI) menu system for displaying playback and recording controls, and for displaying settings, options, parameters, and properties (see page7 paragraph 0073).

Regarding claim27, Holloway anticipates the portable multimedia electronic device of claim 20, whereby the built-in display comprises a liquid crystal display (LCD) display panel (see figure7 element 16).

Regarding claim28, Holloway anticipates the portable multimedia electronic device of claim 20, whereby the bi-directional high speed interface comprises a universal serial bus (USB), USB 2, or IEEE 1394 interface(see page6 paragraph 0065).

Regarding claim29, Holloway anticipates the portable multimedia electronic device of claim 20, further comprising codec for encoding or decoding voice, audio, images, or video (see page5 paragraph 0055).

Regarding claim30, Holloway anticipates the portable multimedia electronic device of claim 20, whereby multimedia support is provided for MPEG-1, MPEG-2, MPEG-4, AVI, DivX, ASF, WMV, WMA, AAC, MP3, G.726, JPEG, JPEG2000, M-JPEG, GIF, and BMP formats (see page5 paragraph 0055).

Regarding claim31, Holloway anticipates the portable multimedia electronic device of claim 20, whereby the device records audio or video from an external audio or video source connected to the audio or video recording means or from the television tuner (see page4 paragraph 0047).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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